

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

BELCALIS MARLENIS ALMANZAR,	*	
	*	
Plaintiff,	*	
	*	
v.	*	Civil Action No.
	*	1:19-cv-01301-WMR
	*	
LATASHA TRANSRINA KEBE et al.,	*	
	*	
Defendants.	*	

**DEFENDANT KEBE’S RESPONSE TO  
PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant Latasha Kebe (hereinafter referred to as “Ms. Kebe”), by and through undersigned Counsel, and, pursuant to Fed. R. Civ. P. 56 and L.R. 56.1, files her Response to Plaintiff’s Motion for Summary Judgment. Ms. Kebe opposes summary judgment for the following reasons:

(1) Plaintiff is not entitled to partial summary judgment as a matter of law on her claims for defamation *per se* (Counts I and III) because genuine disputes as to material facts regarding liability still exist. Therefore, both defamation *per se* counts should be presented to a jury for consideration. Additionally, Plaintiff is not entitled to injunctive relief because Ms. Kebe’s statements are not defamatory.

(2) Plaintiff is not entitled to partial summary judgment as a matter of law on her claim for intentional infliction of emotional distress (Count V) because

Plaintiff has failed to produce evidence of severe emotional distress and genuine disputes as to material facts regarding Ms. Kebe's conduct and whether it caused Plaintiff's alleged emotional distress still exist. Therefore, this count should be presented to a jury for consideration.

(3) Plaintiff is not entitled to summary judgment on any of Ms. Kebe's counterclaims because Ms. Kebe has produced evidence to support each of her counterclaims and genuine disputes as to material facts regarding Plaintiff's conduct, intent, and liability still exist. Therefore, all of Ms. Kebe's counterclaims should be presented to a jury for consideration.

**CERTIFICATION AS TO FONT**

In accordance with Local Rule 7.1(D), the undersigned certifies that the foregoing document was prepared with Times New Roman 14 point, a font and point selection approved by the Court in Local Rule 5.1(C).

Respectfully submitted this 25th day of January, 2021.

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 25, 2021, I electronically filed the foregoing DEFENDANT KEBE'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT and the accompanying BRIEF OPPOSING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; KEBE'S RESPONSE TO PLAINTIFF'S STATEMENT OF MATERIAL FACTS; KEBE'S STATEMENT OF ADDITIONAL MATERIAL FACTS; and DECLARATION OF SADEER SABBAB with accompanying exhibits, with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to all of the attorneys of record.

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